


SUMMARY OF PROPOSED BAN RULES FOR POLYCHLORINATED BIPHENYLS (PCBs)

(Condensed from the June 7, 1978 Federal Register entitled, PCBs; MANUFACTURING, PROCESSING, DISTRIBUTION IN COMMERCE AND USE BANS)

PCBs	MANUFACTURING OF PCBs (including importation)	PROCESSING AND DISTRIBUTION IN COMMERCE OF PCBs	USE OF PCBs (by ultimate consumer)
IN A NONTOTALLY ENCLOSED MANNER (includes servicing)	PROHIBITED AFTER JANUARY 1, 1978 *EPA can authorize continued manu- facturing only until January 1, 1979. After January 1, 1979, a total ban on manufacturing begins. (43FR 24802, 24803, 24805, 24807, 24814, 24815, 24816, June 7, 1978)	PROHIBITED AFTER JANUARY 1, 1978 *EPA can authorize continued proces- sing and/or distribution in commerce until July 1, 1979. Such authori- zations are required for commercial servicing after January 1, 1978. (43FR 24802, 24803, 24805, 24807, 24814, 24815, 24816, June 7, 1978)	PROHIBITED AFTER JANUARY 1, 1978 *EPA can authorize use for an appropri- ate time up to 5 years after the effective date of this rule. At that time the EPA will examine the need for continuing these authorizations. Such authorizations are required for owner servicing. (43FR 24802, 24803, 24807, 24814, 24815, 24816, June 7, 1978)
NEW EQUIPMENT (containing totally enclosed PCBs)	PROHIBITED AFTER JANUARY 1, 1979 ** Upon petition the EPA may grant exemptions for one year at a time on an individual basis after January 1, 1979. (43FR 24802, 24807, June 7, 1978)	PROHIBITED AFTER JULY 1, 1979 *** Except when sold before July 1, 1979 for purposes other than resale. ** Upon petition the EPA may grant exemptions for 1 year at a time on an individual basis after July 1, 1979. (43FR 24802, 24803, 24805, 24807, June 7, 1978)	NOT PROHIBITED
USED EQUIPMENT (equipment containing totally enclosed PCBs sold to ultimate consumer for personal use)	NOT APPLICABLE	CAN BE SOLD TO ANYONE BY ANYONE **(*) Exemptions required for com- mercial servicing. (43FR 24803, 24804, June 7, 1978)	NOT PROHIBITED
for EXPORT	NONTOTALLY ENCLOSED PCBs ARE PROHIBITED WITHOUT EXCEPTION; EFFECTIVE ON DATE OF RULE TOTALLY ENCLOSED PCBs ARE PROHIBITED AFTER JANUARY 1, 1979 (43FR 24811, June 7, 1978)	NONTOTALLY ENCLOSED PCBs ARE PROHIBITED WITHOUT EXCEPTION; EFFECTIVE ON DATE OF RULE TOTALLY ENCLOSED PCBs ARE PROHIBITED AFTER JULY 1, 1979 **** Rule for "notification of export or intent to export" is effective since October 1976 under Section 12(b)(2) TSCA. (43FR 24811, June 7, 1978)	NOT APPLICABLE 

* "Authorization" refers to an exception to the nontotally enclosed PCB's (proposed) ban rules. The EPA may authorize nontotally enclosed manufacturing, processing, distribution in commerce, or use of PCBs after January 1, 1978, if the activity will not present an unreasonable risk of injury to health or the environment (Sec. 6(c)(2)(E) TSCA). Following is a summary of proposed authorizations and their expiration dates: (a) Transformer-Use (servicing), 5 years after the effective date of the rule. (b) Transformer Dielectric Fluid-Processing and Distribution in Commerce, July 1, 1979; yearly exemption required thereafter. (c) Railroad Transformer-Use, 5 years after the effective date of the rule. (d) Mining Equipment Use, December 31, 1981, for both continuous miners and loaders except that 12 months after the effective date of the rule there can be no rebuilding of miner motors. (e) Mining Equipment Processing and Distribution in Commerce, July 1, 1979; yearly exemption required thereafter. (f) Hydraulic Die Casting System-Use, 5 years after the effective date of the rule. (g) Carbonless Copy Paper-Use, 5 years after the effective date of the rule. These authorizations permit nontotally enclosed servicing. However, companies who service articles owned by others must meet the exemption requirements explained in Section IV-F of 43FR, June 7, 1978.

"Commercial servicing" of PCB equipment refers to servicing activities involving PCBs in which the title of the PCBs passes from one owner to another. To continue an activity involving PCBs in a "nontotally enclosed manner" the service company would need authorization for both processing and distribution in commerce. A service company would have to petition for and receive an exemption each year to continue commercial servicing activities after June 30, 1979.

"Owner servicing" of PCB equipment refers to servicing activities involving PCBs in a nontotally enclosed manner and which are performed by the owner of the PCBs on his own equipment.

** "Exemption" refers to an exception to the (proposed) 1979 PCB ban rules. The EPA may grant exemptions, upon petition, for periods of no more than 1 year at a time, from the 1979 bans on manufacturing, processing, and distribution in commerce if it finds that the activity does not present an unreasonable risk and that good faith efforts have been made to develop substitutes for the PCBs used in that activity.

*** The "sale for purposes other than resale" provision refers to any PCBs sold for purposes other than resale (including disposal) before July 1, 1979 or PCB equipment which is leased before July 1, 1979, for a period of no less than 1 year (sale will be considered to have occurred as of the date of the signing of the lease). This provision does not apply to sales to or by retailers who service or repair PCB articles and PCB equipment owned by others.

**** The rule for "notification of export or intent to export" requires any person who exports or intends to export a chemical substance or mixture for which a rule has been proposed under Section 6, TSCA, to notify the EPA of such export or intent to export. (Section 12(b)(2) TSCA).